



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

JUL 16 2003

Arnold P. Wendroff, Ph.D.
Mercury Poisoning Project
544 Eighth Street
Brooklyn, New York 11215-4201

Dear Dr. Wendroff:

I am responding to your letter of May 12, 2003 to Jane M. Kenny. You mention in your letter that you understand that the New York City Department of Environmental Protection (NYCDEP) conducts its periodic Headworks Analysis, as well as effluent analysis, in part due to EPA requirements.

NYCDEP holds State Pollutant Discharge Elimination System (SPDES) discharge permits for its wastewater treatment plants. The current permits, modified effective April 1, 2003, require that by January 1, 2004 NYCDEP must provide a written report with a local limits technical evaluation based on the maximum allowable headworks load to the treatment plants based on final permit limits for pollutants listed in the permits, domestic loading, and proposed allocation to non-domestic sources. EPA gives cities much latitude in setting the local limits.

New York City has fourteen wastewater treatment plants. The wastewater treatment plants have limits for mercury. In 2000, EPA did a pretreatment audit of the New York City program. As part of the audit, EPA evaluated compliance with existing discharge limits from January 1997 through December 1999. EPA did not find any violations of mercury limits. Provided that the plants continue to comply with discharge limits for mercury, there is no regulatory requirement that New York City conduct targeted analysis of mercury sources to the treatment plant.

Thank you for the hard work you have done on the Mercury Poisoning Project. You have brought national attention to this issue. Without you, Task Force on Ritualistic Uses of Mercury would not have existed. While the targeted analysis you suggested is not a regulatory requirement, EPA is interested in hearing your thoughts for voluntary sampling to develop useful indicators of human mercury exposure in the homes where mercury is used. Terry Wesley should be in contact with you to follow up with you about your ideas. I understand that you are currently on an extended overseas trip at this time. Mr. Wesley should be contacting you sometime in August upon your return. You may reach Mr. Wesley at (212) 637-5027 or you may call me at (212) 637-3724.

Sincerely,

A handwritten signature in black ink, appearing to read "Walter E. Mugdan".

Walter E. Mugdan
Director
Division of Environmental Planning and Protection